United Nations ST/SGB/1999/4

Secretariat

20 May 1999

Secretary-General's bulletin

Family and child support obligations of staff members*

The Secretary-General, for the purpose of implementing staff rule 101.2 (c) and pursuant to staff rule 103.18 (b) (iii), promulgates the following:

Section 1

Staff members' obligations

Staff rule 101.2 (c) provides, as one of the fundamental duties of all staff members, that they must comply with local laws and honour their private legal obligations, including the obligation to honour orders of competent courts. Such orders include orders against a staff member to make payments for the support of his or her spouse or former spouse and/or dependent children ("family support court orders").

Section 2

Procedures when staff members fail to comply with family support court orders

2.1 Under staff rule 103.18 (b) (iii), the Secretary-General may authorize deductions from staff members' salaries, wages and other emoluments for indebtedness to third parties. Family support court orders create indebtedness to third parties, such as the staff member's spouse, former spouse and/or dependent children.

2.2 To ensure effective relief when staff members fail to comply with family support court orders, the Organization will voluntarily take the following actions when it receives a family support court order against a staff member which is final and which is not being honoured by the staff member:

(a) The staff member will be requested to comply with the order immediately and to submit proof of compliance to the Organization within 30 calendar days from the date of receipt of the request from the Organization;

(b) If the staff member does not submit the proof of compliance within 30 days, the Organization will commence deductions from the staff member's United Nations emoluments in respect of the amounts ordered;

(c) The amounts deducted will then be paid to the spouse, former spouse or the dependent child(ren), in accordance with the order.

2.3 For the purpose of the present bulletin, a family support court order will be deemed final if the only action left in regard of that court order would be to have the order executed. If the staff member concerned contests the order, he or she must submit a new order of a competent court, setting aside or vacating the original order or staying the original order pending appeal, or proof that he or she has otherwise amicably resolved the matter with his or her spouse or former spouse. Until such evidence is submitted, the Organization will honour the original court order.

2.4 To facilitate the legal or judicial resolution of claims against staff members in spouse or child support cases, the Organization will continue to cooperate with the appropriate authorities and may provide, at their request, relevant information to persons or organizations outside the United Nations, when and in the manner it deems appropriate, even without the consent of the staff member. The staff member will be notified that the information has been provided and

* *Personnel Manual* index No. 1036.

99-15047 (E) 210599

of the nature of the information, and will receive a copy of this information.

Section 3

Implementation

All requests for assistance in securing compliance with family support court orders and requests for information relating to family or child support are to be addressed to the Assistant Secretary-General for Human Resources Management for action. The Office of Legal Affairs will provide advice if the Organization is presented with conflicting family support court orders or if other legal issues arise.

Section 4

Final provisions

4.1 The present bulletin shall enter into force on 24 May 1999.

4.2 The provisions in paragraphs 8 and 9 of ST/AI/399 are hereby abolished.

(*Signed*) Kofi A. **Annan**
Secretary-General